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**From:** Bunker, Byron [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDF7BCF023D241A9A477A2DC75D5901C-BUNKER, BYRON]  
**Sent:** 9/7/2018 4:17:04 PM  
**To:** Phillip Brooks (Brooks.Phillip@epa.gov) [Brooks.Phillip@epa.gov]  
**Subject:** FW: BMW assertions in motion to dismiss class action misstates interview  
**Attachments:** Extracted Pages from BMW Motion to Dismiss - Berman Case.pdf

For our call this afternoon.

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Byron Bunker  
Director Compliance Division  
Office of Transportation and Air Quality  
Environmental Protection Agency  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
[Bunker.Byron@epa.gov](mailto:Bunker.Byron@epa.gov)  
Phone: (734) 214-4155  
Mobile: (734) 353-9623  
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**From:** Bunker, Byron  
**Sent:** Tuesday, September 04, 2018 12:04 PM  
**To:** Orlin, David <Orlin.David@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>  
**Subject:** BMW assertions in motion to dismiss class action misstates interview

Hi David,

Attached is a substantially redacted version of a filing by BMW seeking to dismiss a class action lawsuit. In general, we

## Ex. 5 Deliberative Process (DP)

I would like to discuss options with Chris on Thursday at 3. Would you have time for a short discussion before then?

Thanks,

Byron

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Byron Bunker  
Director Compliance Division  
Office of Transportation and Air Quality  
Environmental Protection Agency  
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Ann Arbor, MI 48105  
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